

REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Status of the Claims

Claims 1, 2, 5-7, 12, 13, 16-18, and 23 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 3,211,362 to Laskey et al. ("Laskey") in view of JP 61200391 A to Kushiro et al. ("Kushiro"). Claims 3 and 14 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 5,626,188 to Dewar et al. ("Dewar"). Claims 4 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 3,608,629 to Cowans et al. ("Cowans"). Claims 8, 10, 11, 19, 21, and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 3,151,672 to Edmund et al. ("Edmund"). Claims 9 and 20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 4,615,384 to Shimada et al. ("Shimada").

Claims 1-23 were pending. By this paper, claim 1 is amended to recite a first cooling chamber provided so as "to surround a discharge port for cooling the gas flowing therethrough." Support for this amendment may be found throughout the specification as originally filed, including e.g., Figure 2 and page 8, lines 10-16, page 10

line 19 – page 11, line 7, and page 14, line 21 – page 15, line 10. No new matter will be added to this application by entry of these amendments. Accordingly, Applicant respectfully requests entry of these amendments.

Claims 1-23 Are Patentably Distinct From Laskey Alone Or In Combination With Kushiro And/Or Dewar And/Or Cowans And/Or Edmund And/Or Shimada

The rejection of claim 1 is respectfully traversed. As explained more fully below, the requirements for such a rejection are not met. Specifically, Applicant's amended claim 1 recites:

“1. A compressor, which is cooled by cooling medium, comprising:

a compression chamber in which gas is compressed and then discharged therefrom;

a first cooling chamber, in which the cooling medium flows, provided so as to adjoin the compression chamber for cooling the gas in the compression chamber and to surround a discharge port for cooling the gas flowing therethrough; and

a second cooling chamber adjoining the first cooling chamber, the second cooling chamber having a gas passage in which the discharged gas flows and a medium passage in which the cooling medium flows, the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber.”

Laskey is directed to superchargers of the type commonly called turbochargers. The Office Action admits that Laskey does not teach a first cooling chamber. [12/26/07 Office Action, p. 3]. For that element, the Office Action looks to Kushiro and asserts that Kushiro teaches “a scroll compressor having a first cooling chamber (item 1b in Fig. 1) adjoining the scroll.” [12/26/07 Office Action, p. 3]. Without

commenting on that assertion, we note that there is no assertion and Applicant cannot find that Kushiro teaches, discloses, or suggests “a first cooling chamber, in which the cooling medium flows, provided so as to adjoin the compression chamber for cooling the gas in the compression chamber and to surround a discharge port for cooling the gas flowing therethrough” as recited in Applicant’s amended claim 1.

Additionally, we note that there is no assertion and Applicant cannot find that Dewar, Cowans, Edmund nor Shimada teaches, discloses or suggests “a first cooling chamber, in which the cooling medium flows, provided so as to adjoin the compression chamber for cooling the gas in the compression chamber and to surround a discharge port for cooling the gas flowing therethrough” as recited in Applicant’s amended claim 1.

Accordingly, as Applicant cannot find “a first cooling chamber, in which the cooling medium flows, provided so as to adjoin the compression chamber for cooling the gas in the compression chamber and to surround a discharge port for cooling the gas flowing therethrough” as recited in Applicant’s claim 1 in Laskey, Kushiro, Dewar, Cowans, Edmund nor Shimada, independent claim 1 is respectfully asserted to be patentably distinct from the cited references. For at least similar reasons, dependent claims 2-23 are also believed to be in condition for allowance.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Additionally, Applicant has not specifically addressed

the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address rejections of the dependent claims in the future as appropriate.

CONCLUSION

This application is respectfully asserted to be in condition for allowance.

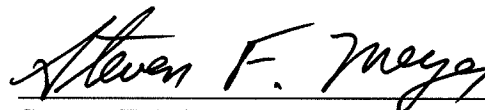
An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 5095-4085.

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By:

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